

Introduced by Senator Oropeza

December 4, 2006

An act to add Section 66474.12 to the Government Code, and to add Part 3.5 (commencing with Section 8510) to Division 5 of the Water Code, relating to flood control.

LEGISLATIVE COUNSEL'S DIGEST

SB 6, as introduced, Oropeza. Flood control.

(1) Existing law, the Subdivision Map Act, requires a local agency to include a specified condition in a tentative map that it is authorized to approve, relative to the availability of a sufficient water supply prior to completing a subdivision, authorizes a local agency to condition map approval on the making of public improvements, and authorizes a city or county to require an informational map or survey to be filed or recorded with a final or parcel map relating to flood hazard zones.

This bill would require the legislative body of a city or county, or the advisory agency, to the extent that the advisory agency is authorized by local ordinance to approve, conditionally approve, or disapprove a tentative map, or a parcel map for which a tentative map was not required, to include as a condition for approval or conditional approval of a tentative map or parcel map that the subdivision applicant have considered, as necessary, existing climate predictions regarding ocean levels.

The bill would establish a state-mandated local program by imposing that requirement on those entities of local government.

(2) Existing law provides state funds, upon appropriation, for the purpose of assisting local land-use planning to avoid or reduce future flood risks and damages.

This bill would require a state or local public entity that undertakes mapping and identification of flood risk to consider existing climate predictions regarding ocean levels.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 66474.12 is added to the Government
2 Code, to read:

3 66474.12. The legislative body of a city or county, or the
4 advisory agency, to the extent that the advisory agency is
5 authorized by local ordinance to approve, conditionally approve,
6 or disapprove a tentative map, or a parcel map for which a tentative
7 map was not required, shall include as a condition for approval or
8 conditional approval of a tentative map or parcel map that the
9 subdivision applicant have considered, as necessary, existing
10 climate predictions regarding ocean levels.

11 SEC. 2. Part 3.5 (commencing with Section 8510) is added to
12 Division 5 of the Water Code, to read:

13

14 PART 3.5. FLOOD RISK MAPPING

15

16 8510. A state or local public entity that undertakes mapping
17 and identification of flood risk shall consider existing climate
18 predictions regarding ocean levels.

19 SEC. 3. If the Commission on State Mandates determines that
20 this act contains costs mandated by the state, reimbursement to
21 local agencies and school districts for those costs shall be made
22 pursuant to Part 7 (commencing with Section 17500) of Division
23 4 of Title 2 of the Government Code.

O